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	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	•
10/656,040 09/04/2003		09/04/2003	Stephen V. Deckers	10016172-3	8460	
	7590 07/26/2004		EXAMINER			
HEWLETT-PACKARD COMPANY				TRAN, KHOI H		
	Intellectual Property Administration					_
	P. O. Box 272400 Fort Collins, CO 80527-2400			ART UNIT	PAPER NUMBER	
			3651			

DATE MAILED: 07/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s) DECKERS, STEPHEN V.			\sim				
Examiner Khol H Tran 3651		Application No.	Applicant(s)				
Noi H Tran 3651		10/656,040 DECKERS, STEPHEN V.					
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Elements of the mish ye a variation under the provisions of 3 CPR 1.18(s), in no event, however, may a reply be timely filled. Elements of the mish ye a variation under the provisions of 3 CPR 1.18(s), in no event, however, may a reply be timely filled. Elements of the mish ye a variation under the provisions of 3 CPR 1.18(s), in no event, however, may a reply be timely filled. Elements of the period for reply variations of 3 CPR 1.18(s), in no event, however, may a reply be timely filled freely. If the period for reply specified above is less than thinty (30) days, a reply with no statutory minimum of thinty (30) days will be considered finely, in the period for reply variation, and the period provision of binding the period for reply variation, and the period of the communication, event filmely filled. This action is FINAL. 2b) This action is non-final. 2b) This action is FINAL. 2b) This action is non-final. 2c) Claim(s) 2e-43 is/are pending in the application. 4) Claim(s) 2e-43 is/are pending in the application. 4) Claim(s) 2e-43 is/are allowed. 5) Claim(s) 2e-43 is/are allowed. 6) Claim(s) 2e-43 is/are allowed. 6) Claim(s) 2e-31,33 and 3e-39 is/are rejected. 7) Claim(s) 3e-31,33 and 3e-39 is/are rejected. 7) Claim(s) 3e-31,33 and 3e-39 is/are rejected. 8) The specification is objected to by the Examiner. 10) The draving(s) filled on 3e-31,34 is/are allowed. 8) Claim(s) 3e-31,33 and 3e-39 is/are rejected. 10 Claim(s) 3e-31,33 and 3e-39 is/are rejected or a serial replication for a serial replication for a serial replication for the priority documents have been recei	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Entire the state of them may be available under the provisions of 37 CFR 1.35(s), in no event, however, may a rapid be timely filled. - If the period for reply is period table value of the provisions of 37 CFR 1.35(s), in no event, however, may a rapid be timely filled. - If No period for reply is specified above, the maximum statutory period will apply yell depicts St. (b) MOJHAS from the mailing date of this communication of the communication of the period will apply and the statute of the communication of the comm							
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Exhatisates of the many be within the set of exhatises of 37 CPR 1.136(a), in no event, however, may a reply be timely filed Exhatises of the period for reply specified above is less than thirty (30) days, a reply whith the statulory prival will, and the period for reply specified above is less than thirty (30) days, a reply whith the statulory prival will, and the set of exhatised prival because it is a policiation to become ABANDONED (35 U.S. § 133). Filt No proted for reply specified above, be maximum statutory period will apply and will expert 30.8 (b) MONTHS from the mailing date of this communication. Fallware to reply whith the set of exhatised part of the mailing date of this communication, even if threely steed, may reduce only searned patient term adjustment. See 37 CFR 1.704(b). Status 1) Responsive to communication(s) filed on telephonic election of Species. 2a) This action is FINAL. 2b) Claim(s) 28-43 is/are pending in the application. 4a) Claim(s) 28-43 is/are pending in the application. 4a) Claim(s) 28-43 is/are pending in the application. 4a) Claim(s) 28-31 is/are allowed. 6b) Claim(s) 28-31 is/are allowed. 6c) Claim(s) 28-31 is/are allowed. 6c) Claim(s) 28-31 is/are allowed. 6c) Claim(s) 28-31 is/are objected to. 8c) Claim(s) 28-31 is/are objected to. 8c) Claim(s) 28-31 is/are objected to by the Examiner. 10) The protein drawing sheet(s) including the correction is requirement. Application Papers 9) The proving of the drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) Certified copies of the priority documents have been received. 2c) Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this Nation		ears on the cover sheet with the c	orrespondence address				
If NO period for reply is specified above, be maximum statutory period will apply and will explice SIX (8) MONTHS from the making date of this communication. Failute to reply within the set or estended period for reply will, by statute, cause the application between 8ANNONED (35 U.S.C.§ 1373). Any reply received by the Office Island the minimum date of this communication, even if timely filled, may reduce any seamed period for reply will, by statute. 1) □ Responsive to communication(s) filled on telephonic election of Species. 2a) □ This action is FINAL. 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 28-43 is/are pending in the application. 4a) Of the above claim(s) 28_30_32_34_35 and 40-43 is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are allowed. 8) □ Claim(s) is/are allowed. 8) □ Claim(s) is/are allowed. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be hold in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received in Appli	A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.	36(a). In no event, however, may a reply be tin	nely filed				
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3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. **KHOI H. TRAN PRIMARY EXAMINER Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	•						
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DETAILED ACTION

Election/Restrictions

1. In response to the non-responsive notice mailed on 06/22/2004, Applicant has provisionally elected Group I, Species VII, claims 28, 31, 33, and 36-39 for prosecution thereof. The election of species was given in a telephonic communication with Mr. Tom Olson on July 21, 2004.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 28, 31, 33, and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kulakowski et al. 6,731,455 in view of Stefansky 5,329,412.

Kulakowski '455 discloses a data storage library per claimed invention. The library comprises a plurality of storage areas for housing plurality of hard disk drive device (HDD, see Figures 1A and 4). The library comprises robotic grippers 62 for gripping and moving said HDD 's (Figures 2 and 3) from/to said storage areas. The library comprises a host device 72 (Figure 2) for controlling the library operations. The library comprises plurality of interfaces for communicatively linking the HDD 's to the host device (Figures 2, 3, and 4). Kulakowski '455 data storage library is also capable of handling tape cartridges or a combination of tape and hard disk drive devices

"建设全体编基制设计,推建一场设施设施设施。"

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(column 11, lines 21-47). However, Kulakowski '455 is silent as to the specific of the HDD having form factor in the shape of a tape cartridge.

Stefansky '412 discloses a portable hard disk drive device. Stefansky '412 teaches that the hard disk drive device housing can have the dimension of a tape cartridge (column 1, lines 55-61).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have the housing dimension of Kulakowski '455 HDD coincides with the housing dimension of a magnetic tape cartridge, as taught by Stefansky '412, since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F .2d 272, 205 USPQ 215 (CCPA 1980). Furthermore, it would have been obvious for one of ordinary skill in the art to have provided Kulakowski '455 HDD with a housing having the same dimension of a magnetic tape housing because such HDD cover had been known in the art, as demonstrated by Stefansky '412.

In regards to claims 31 and 37, Kulakowski '455 discloses all elements per claimed invention as explained above. However it is silent as to the specifics of the HDD having form factor in the shape of a Digital Linear Tape (DLT).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have the housing dimension of Kulakowski '455 HDD coincides with the housing dimension of a Digital Linear tape cartridge since it has been held that discovering an optimum value of a result effective variable involves only routine skill in the art. In re Boesch, 617 F .2d 272, 205 USPQ 215 (CCPA 1980).

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Conclusion

4. Additional references made of record and not relied upon are considered to be of interest to applicant's disclosure: see attached USPTO Form 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H Tran whose telephone number is (703) 308-1113. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Ellis can be reached on (703) 308-1113. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khoi H Tran Primary Exami

Primary Examiner

Art Unit 3651

KHT 07/23/2004